

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

BRITTANY SAMANTHA CURRY,

Plaintiff,

v.

DAVID CUTT, et al.,

Defendants.

No. 2:23-cv-00048-SRW

MEMORANDUM AND ORDER

This matter is before the Court on self-represented plaintiff Brittany Samantha Curry's application to proceed in the district court without prepayment of fees and costs. (ECF No. 2) Plaintiff is currently incarcerated at the Women's Eastern Reception Diagnostic and Correctional Center ("WERDCC"). Under 28 U.S.C. § 1915(b), Plaintiff is required to submit with her application a certified copy of her prison trust account statement for the six-month period before the filing of the complaint. She has not done so.

The Court notes that plaintiff Previously filed a case in this Court alleging some of the same claims she alleges here. *See Curry v. Women's Eastern Reception Diagnostic and Correctional Center, et al.*, No. 4:21-cv-00079-SRC (E.D. Mo. filed Jan. 19, 2021). In her prior case she attached a certified account statement from WERDCC, and was ordered to pay a \$76.27 initial partial filing fee. *Id.* at ECF No. 7. Because the Court must again assess an initial partial filing fee of 20% of Plaintiff's average monthly deposit, it will order Plaintiff to provide her certified account statement pursuant to §1915(b).

Accordingly,

IT IS HEREBY ORDERED that, within twenty-one (21) days from the date of this Order, Plaintiff must submit a copy of her prison trust account statement for the six-month period before the filing of the complaint.

IT IS FURTHER ORDERED that if Plaintiff does not comply with this Order, the Court may dismiss her complaint without prejudice and without further notice to Plaintiff.

Dated this 21st day of December, 2023.


STEPHEN R. WELBY
UNITED STATES MAGISTRATE JUDGE